



# **MONTANA FISH, WILDLIFE & PARKS**

## **Draft Environmental Assessment**

### **Pine Grove Pond Fishing Access Site Picnic Pavilion**



**January 30, 2020**

# Draft Environmental Assessment CHECKLIST

## **PART I. PROPOSED ACTION DESCRIPTION**

**1. Type of proposed state action:**

Montana Fish Wildlife and Parks (FWP) is proposing to construct a covered picnic pavilion at Pine Grove Pond Fishing Access Site (FAS) near Kalispell in FWP Region One.

**2. Agency authority for the proposed action:**

The 1977 Montana Legislature enacted Section 87-1-605, Montana Code Annotated (MCA), which directs FWP to acquire, develop and operate a system of fishing accesses. The legislature earmarked a funding account to ensure that the fishing access site program would be implemented. Section 87-1-303, MCA, authorizes the collection of fees and charges for the use of fishing access sites, and contains rule-making authority for their use, occupancy, and protection. Furthermore, Section 23-1-110, MCA, and Administrative Rules of Montana (ARM) 12.2.433 guide public involvement and comment for improvements at state parks and fishing access sites, which this document provides.

ARM 12.8.602 requires the Department to consider the wishes of the public, the capacity of the site for development, environmental impacts, long-range maintenance, protection of natural features and impacts on tourism as these elements relate to development or improvement to fishing access sites or state parks. This document will illuminate the facets of the Proposed Action in relation to this rule. See *Appendix A* for HB 495 qualification.

**3. Anticipated Schedule:**

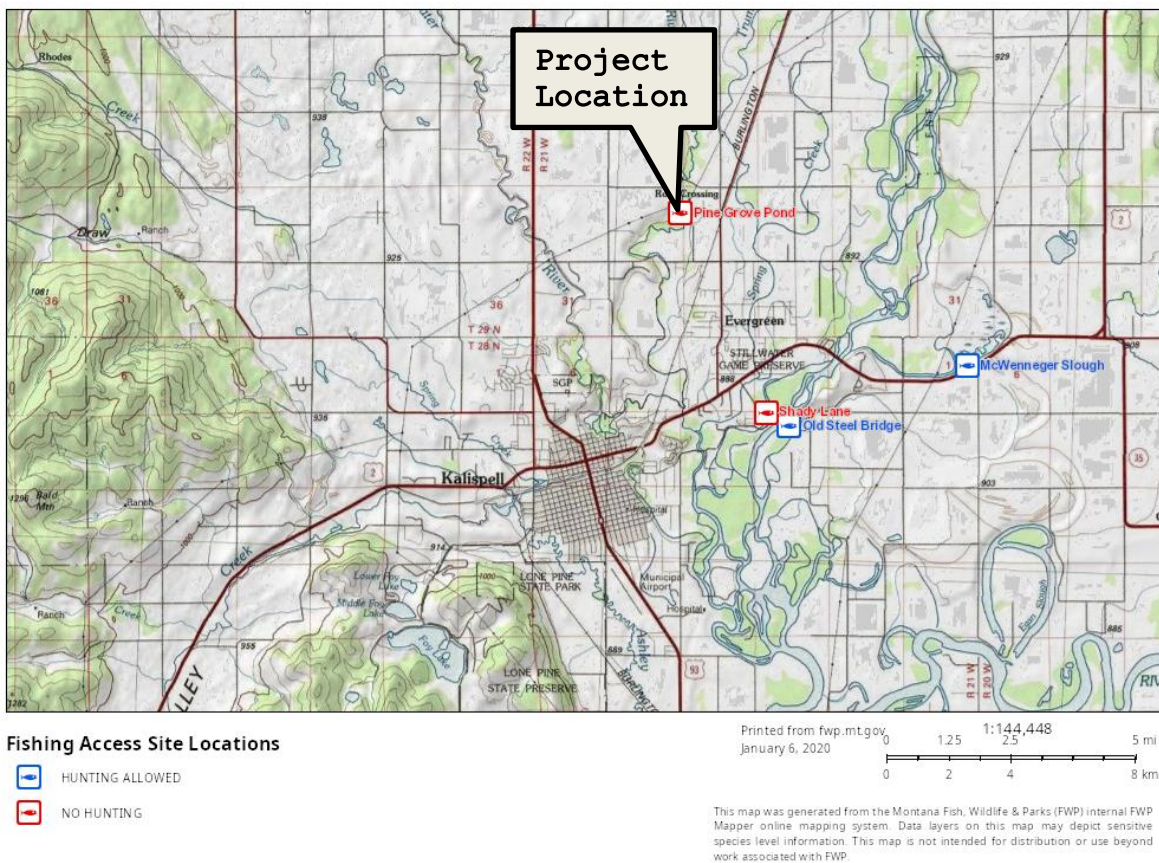
Estimated Construction Commencement Date: April 2020

Estimated Completion Date: May 2020

Current Status of Project Design (% complete): 75%

4. Location affected by proposed action (county, range and township – included map):

Figure 1. Location of Pine Grove Pond FAS: Flathead County TRS 29N21W29



Some layers may not appear in the legend due to page size limitations.

5. Project size estimate the number of acres that would be directly affected that are currently:

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>	(e) Productive:	
Industrial	<u>0</u>	Irrigated cropland	<u>0</u>
(b) Open Space/	<u>.10</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>0</u>
(c) Wetlands/Riparian	<u>0</u>	Rangeland	<u>0</u>
Areas		Other	<u>0</u>

**8. Permits, Funding & Overlapping Jurisdiction.**

**(a) Permits:** No permits are necessary for this project

<u>Agency Name:</u>	<u>Permits:</u>
NA	None

**(b) Funding:** FWP will partner non-profit organizations to fund this project

<u>Agency Name:</u>	<u>Funding Amount</u>
FWP	\$3000.00
Flathead Wildlife, Inc	\$5000.00

**(c) Other Overlapping or Additional Jurisdictional Responsibilities:**  
None

<u>Agency Name:</u>	<u>Type of Responsibility:</u>
Flathead County Planning and Zoning	Zoning & code compliance
Montana Department of Labor and Industry	Building permits
State Historical Preservation Office (SHPO)	Cultural consultation

**9. Narrative summary of the proposed action:**

Pine Grove Pond FAS is a 23-acre site centrally located in the Flathead Valley near the communities of Kalispell, Evergreen, Columbia Falls and Whitefish. The site provides access to Pine Grove Pond, a 5-acre fishing pond that is a popular family friendly fishing destination close to the population center of the Flathead Valley. Site development includes the fishing pond, three fishing piers, parking lot, paved path around the pond, two vault latrines, and one existing picnic pavilion. The site also includes access to the Whitefish River.

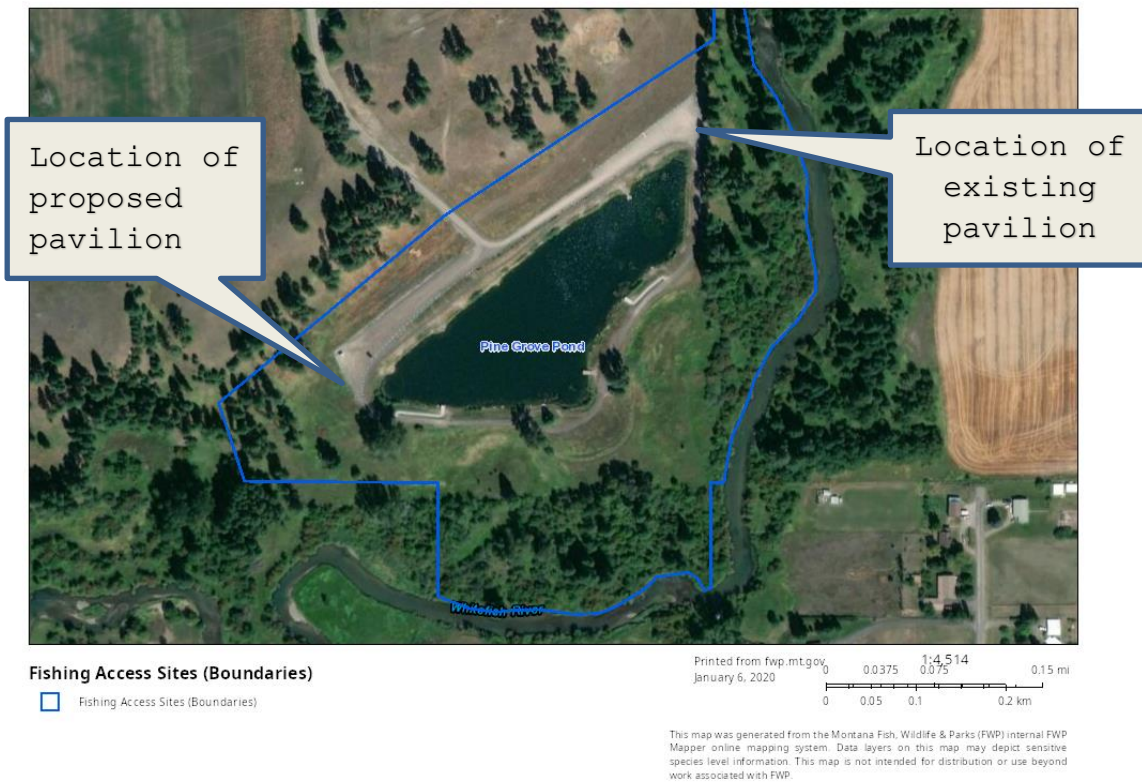
Due to its location near town and high quality fishery, the pond is popular with anglers of all ages and abilities. FWP recorded 35,935 car counts at the site in 2019. Additionally, the Hooked-on-Fishing program utilizes the site extensively in the Spring and Fall to bring hundreds of middle school kids fishing. One covered pavilion currently exists on the east end of the pond but demand for the pavilion is high during peak times. FWP fields numerous inquiries about reservations for the pavilion for special events such as birthday parties, weddings, family reunions and company picnics and is unable to accommodate all those requests.

FWP is proposing to construct a second pavilion at the west end of the site to provide a sheltered picnic area on that end of the pond. The footprint of the new pavilion would be approximately 22ft by 16ft or 352 sq. ft. The pavilion would be built on a concrete slab connected to an existing path to make it accessible to all users. Picnic tables would be placed under the roof for seating. Construction would be very similar to that of the existing pavilion there.

The project would be completed and funded through a partnership between FWP and Flathead Wildlife, INC. and the Flathead Chapter of Walleyes Unlimited. These two partner organizations would solicit donations of money and materials and would provide volunteer labor.



**Figure 2- Overview of Pine Grove Pond FAS**



Some layers may not appear in the legend due to page size limitations.

**Figure 3- Existing Pavilion. The proposed new pavilion would be similar in size and design.**



**10. Description and analysis of reasonable alternatives:**

**Alternative A: No Action-** FWP would not construct a picnic pavilion on the west end of Pine Grove Pond FAS. Facilities at the site would remain unchanged. The existing pavilion would continue to be heavily used and unavailable at times.

**Alternative B: Proposed Action-** FWP would construct a picnic pavilion on the west end of Pine Grove Pond FAS to complement the existing pavilion at the east end. The new pavilion would provide an additional covered gathering area at the site which would improve the visitor experience. FWP would be able to accommodate more special events and educational programs at the site.

**11. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency: None**

## **PART II. ENVIRONMENTAL REVIEW CHECKLIST**

Only the Proposed Alternative and the No-Action Alternative were considered. The No-Action Alternative would not have any impacts on the physical or human environment. No action would be taken and the physical and social characteristics of the site would not change.

### **Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.**

#### **A. PHYSICAL ENVIRONMENT**

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Geology and soil quality, stability and moisture				X		
2. Air quality or objectionable odors				X		
3. Water quality, quantity and distribution (surface or groundwater)				X		
4. Existing water right or reservation				X		
5. Vegetation cover, quantity and quality			X	X		X
6. Unique, endangered, or fragile vegetative species				X		
6. Terrestrial or aquatic life and/or habitats				X		
7. Unique, endangered, or fragile wildlife or fisheries species				X		
8. Introduction of new species into an area			X			X
9. Changes to abundance or movement of species				X		

#### **Comments**

5. The exact location of the proposed pavilion has not been finalized. FWP would attempt to locate the facility on ground that is already bare and compacted. If that was not possible and vegetation and topsoil were disturbed the size of the disturbance would be limited to about 350 sq. ft.

8. Ground disturbed by construction would be susceptible to invasion by noxious weeds. FWP FAS staff would monitor the site and take appropriate control measures.

## B. HUMAN ENVIRONMENT

Will the proposed action result in potential impacts to:	Unknown	Potentially Significant	Minor	None	Can Be Mitigated	Comments Provided
1. Noise and/or electrical effects			X			X
2. Land use				X		
3. Risk and/or health hazards				X		
4. Community impact			X			X
5. Public services/taxes/utilities				X		
6. Potential revenue and/or project maintenance costs			X			X
7. Aesthetics and recreation			X		X	X
8. Cultural and historic resources				X		
9. Evaluation of significance				X		
10. Generate public controversy				X		

### Comments

1. Some noise would be generated by construction activities. This impact would be temporary and confined to the immediate project area.

4. The project would benefit the community by providing more recreation facilities and an outdoor gathering space.

6. The pavilion would require minimal maintenance and FWP has a budget for routine maintenance and upkeep. If major maintenance was required, FWP would partner with sporting and angling groups to fund such maintenance.

7. The pavilion would affect the aesthetics of the site and FWP would mitigate this affect by using materials and design that blends into the natural environment.



### **PART III. NARRATIVE EVALUATION AND COMMENT**

All of the pertinent or potential impacts of the project have been reviewed, discussed, and analyzed. The small scope and temporary nature of any negative impacts to the physical and human environment indicate that this should be considered the final version of the environmental assessment. There are no significant environmental or economic impacts associated with the proposed alternative.

### **PART IV. PUBLIC PARTICIPATION**

#### **1. Public involvement:**

The public will be notified in the following manners to comment on this current EA, the proposed action and alternatives:

- Two public notices in each of these papers: *Daily Interlake, Flathead Beacon and Helena Independent Record*
- One statewide press release
- Public notice on the Fish, Wildlife & Parks web page: <http://fwp.mt.gov>.

Copies of this environmental assessment will be distributed to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

#### **2. Duration of comment period:**

The public comment period will extend for (30) thirty days following the publication of the second legal notice in area newspapers. Written comments will be accepted until 5:00 p.m., March 15, 2020 and can be mailed to the address below:

Pine Grove Pond FAS Picnic Pavilion Project  
Montana Fish, Wildlife & Parks, Region 1  
490 North Meridian Road  
Kalispell, MT 59901  
(406) 752-5501

### **PART V. EA PREPARATION**

#### **1. Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)? No**

**If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.**

Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from

the proposed action: therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis. In determining the significance of the impacts, Fish, Wildlife and Parks assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the growth-inducing or growth-inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value effected, any precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

**2. Person(s) responsible for preparing the EA:**

Tony Powell  
Regional Fishing Access Site Manager  
Fisheries Division  
Montana Fish Wildlife and Parks, Region 1  
490 N Meridian Rd, Kalispell, MT 59901  
406-751-5423  
[tpowell@mt.gov](mailto:tpowell@mt.gov)

**3. List of agencies or offices consulted during preparation of the EA:**

Montana Fish Wildlife and Parks:  
Fisheries Division  
Wildlife Division  
Design and Construction

## APPENDICES

### A. MCA 23-1-110 Qualification Checklist

#### Appendix A

##### 23-1-110 MCA PROJECT QUALIFICATION CHECKLIST

**Date:** January 27, 2020

**Person Reviewing:** Tony Powell

**Project Location:** Pine Grove Pond FAS is three miles northeast of Kalispell, Montana and two miles east of Highway 93 along the Whitefish River in Section 29 T29N R21W.

**Description of Proposed Work:** FWP proposes to construct a covered picnic pavilion at the west end of Pine Grove Pond. The pavilion would provide a covered area of approximately 16ft by 22ft and would be built on top of a concrete pad.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under 23-1-110 rules. (Please check ☐ all that apply and comment as necessary.)

☐ **A. New roadway or trail built over undisturbed land?**

Comments:

☐ **B. New building construction (buildings <100 sf and vault latrines exempt)?**

Comments:

☐ **C. Any excavation of 20 c.y. or greater?**

Comments:

☐ **D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?**

Comments:

☐ **E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?**

Comments:

☐ **F. Any new construction into lakes, reservoirs, or streams?**

Comments:

☐ **G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?**

Comments:

☐ **H. Any new above ground utility lines?**

Comments:

☐ I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?

Comments:

☐ J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?

Comments: